

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	CONSENT ORDER OF
Revocation of the Educator Certificate)	
)	VOLUNTARY SURRENDER
of Davin E. Diamond)	
)	
Certificate 221197)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2005. On December 17, 2002, the South Carolina Department of Education (Department) sent Davin E. Diamond a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of South Carolina educator certificate 212297 by certified mail, return receipt, restricted delivery, and regular mail. Mr. Diamond received the notice as evidenced by a postal receipt bearing his signature. Mr. Diamond subsequently agreed to resolve the case without a hearing. Mr. Diamond has consented to the voluntary surrender of his certificate effective March 8, 2005. This agreement gives Mr. Diamond the right to apply for the reinstatement of his certificate after three years from the date of this order. If he chooses to apply for reinstatement, Mr. Diamond must pass a character and fitness review by the State Board and meet all current certification requirements. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Diamond's certificate.

Davin E.
Diamond
212297

Date

FINDINGS OF FACT

During the 2002-2003 school year, Mr. Diamond was a participant in the State's alternative certification program and was employed as a teacher at Hilton Head High School in the Beaufort County School District (District). The District suspended Mr. Diamond's employment on September 17, 2002, after learning that Mr. Diamond had been convicted of possession of marijuana. On October

14, 2002, Mr. Diamond resigned his position with the District. Since that time, Mr. Diamond has had numerous other criminal charges filed against him.

CONCLUSIONS OF LAW

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004), S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1991). The State Board finds that there is substantial evidence to support its decision to accept the voluntary surrender of Mr. Diamond's certificate 2212297. At the end of three years from the date of this Order, Mr. Diamond may reapply for a teaching certificate by written request to the Office of Teacher Certification at the South Carolina Department of Education. If he chooses to reapply for certification, Mr. Diamond must pass a character and fitness review by the State Board and meet all current certification requirements.

South Carolina State Board of Education

/S/ Paul M. Forrester
Paul M. Forrester, Chair

Columbia, South Carolina
March 8, 2005

I, Davin E. Diamond, SC Educator Certificate 212297, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, March 8, 2005.

/S/ Davin Diamond
Davin E. Diamond

2/06/05
Date